



**STATE OF SOUTH CAROLINA**  
**DEPARTMENT OF EDUCATION**

**MOLLY M. SPEARMAN**  
*STATE SUPERINTENDENT OF EDUCATION*

March 17, 2020

The Honorable Mitchell Zais  
Deputy Secretary of Education  
United States Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202

Dear Deputy Secretary Zais:

The United States and our public school systems are experiencing an unprecedented, historic crisis related to the novel coronavirus, COVID-19. South Carolina joins many other states in statewide closures of our public schools to contain and reduce the contagion, to protect our most valuable assets—the students we serve. We know that hard days still lie ahead as we have yet to feel the impact of this virus on our citizens and society.

On March 15, 2020, I joined South Carolina Governor Henry McMaster, as he issued an [Executive Order](#) to close all public schools, from 4k through universities, until March 31, 2020. That date is subject to extension based upon the scientific guidance we receive from the Centers for Disease Control and our South Carolina Department of Health and Environmental Control.

This closure comes as we gear up for how we hold our state, districts, and schools accountable—our end-of-year testing season. At the March 15 press conference, I announced with the support of our Governor, our intent to suspend spring assessments required by the Every Student Succeeds Act (ESSA) and our intent to seek a waiver from the United States Department of Education (USED).

I understand that the USED is continuing to review the impact of COVID-19 on state accountability systems and assessments along with developing processes for statewide waivers, and we look forward to you releasing additional guidance in the coming days. I want to share South Carolina's intent for the following and stand ready to submit any documentation or information as you deem appropriate:

1. South Carolina intends to suspend all federally-required testing during spring 2020 and requests a waiver of those testing requirements, including ESSA's 95 percent assessment participation requirement;
2. South Carolina intends to request a waiver to delay the identification of any school for comprehensive or targeted support and improvement based upon 2019–20;
3. South Carolina intends to apply a hold-harmless provision and keep ratings from the 2018–19 state report cards in place until the 2020–21 school year; and
4. South Carolina may seek additional waivers related to funding and programs, when we determine any impact that COVID-19 may have on the use of ESSA funds.

We hope that the USED will consider broad waivers and expedited approvals so that states and local school districts can focus on ensuring the health and wellness of our students, faculty, and their families, during these unparalleled times.

We appreciate your guidance and leadership.

Sincerely,

A handwritten signature in blue ink that reads "Molly M. Spearman". The signature is fluid and cursive, with the first name "Molly" and last name "Spearman" clearly legible.

Molly M. Spearman  
State Superintendent of Education

cc: The Honorable Henry McMaster, Governor  
South Carolina Congressional Delegation